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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Item 18 of the provisional agenda

PROTECTION OF MINORITIES

Written statement submitted by the Baha'i International Community, a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[15 July 1994]

1. The Baha'i International Community commends the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and especially its Special Rapporteur, Mr. Asbjørn Eide, on its efforts to determine "Possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities" (E/CN.4/Sub.2/1993/34 and addenda).

2. Over one year has passed since the Declaration on the Rights of Persons Belonging to National, or Ethnic, Religious and Linguistic Minorities was adopted by the General Assembly. Now both Governments and individual citizens face the challenge of implementing these standards. Sadly, the reality of life for many minorities bears no resemblance to the minimum human rights standards set forth in this document. Members of the very minority groups whom the declaration was designed to protect are still experiencing intense suffering and anguish in a number of violent conflicts ranging around the world.

3. In the view of the Baha'i International Community, responsibility for ensuring equal rights for minorities falls on both majorities and minorities. Majorities have a special responsibility, for the sake of justice, to bring about the social and political adjustments which will enable minorities to exercise, to the fullest extent possible, their common and fundamental rights. Minorities, on the other hand, have a moral responsibility to respond honourably to genuine efforts by majorities and, as stated by the Rapporteur to "recognize and respect their duties to the society at large" (E/CN.4/Sub.2/1993/34/Add.4, para. 20). Both must view minority issues in the context of an increasingly interdependent world. In such a world, the advantage of the part is best served by ensuring the advantage of the whole; likewise, the whole cannot flourish when parts are oppressed or deprived.

4. The need then is to identify the conditions which disenfranchise certain minorities and to urge Governments to enact legislation which will equip these minorities to claim their just rights and will redress their grievances. Such action, however, will not be sufficient to ensure that minorities enjoy the same rights as their fellow citizens. Attitudes must change. There must be a shift in the view of majorities towards oppressed minorities, and minorities must be freed from the sense of helplessness induced by prolonged discrimination.

5. The challenge of changing attitudes, however, is not entirely within the ability of Governments to meet, as it calls for the influence of spiritual and moral principle. The Baha'i International Community believes that the principle which must govern any consideration of minority rights is the oneness of humanity. Often, ignorance of our common humanity encourages irrational fears and hatreds which are easily fuelled by distorted notions of other cultures. In order to move towards a genuine desire for mutual understanding, for "pluralism in togetherness", as described by Mr. Eide (E/CN.4/Sub.2/1993/34, chap. II.B), the diversity of the human family must be recognized as a source of enrichment rather than as a threat.

6. We support the call by the Special Rapporteur for schools to teach both respect for human rights and appreciation of diversity: "Human rights education," Mr Eide suggests, "should be made a core curriculum subject in universal primary education" (E/CN.4/Sub.2/1993/34/Add.4, para. 4). "The curricula in all States should teach tolerance of all groups. Majority groups should learn about the cultures of minority groups in ways which make it possible for them to appreciate those cultures as an enrichment to society as a whole" (ibid., paras. 9 and 10).

7. To achieve a lasting resolution of minority problems, however, education must be supported by a commitment to ethical and spiritual principles. The operation of these principles imbues both majorities and minorities with a consciousness of their reciprocal moral responsibilities as fellow human beings. This sense of responsibility vitalizes such civilizing virtues as forbearance and compassion towards all people. It emboldens the voice of conscience and employs the language of the heart where the language of civil law exerts no influence. The practical influence of such spiritual values on social order cannot be overly emphasized. In an age of turbulent transition, a widespread consciousness of the oneness of mankind would allow minorities to be seen as an integral part of every society. Old animosities based upon

ethnic, linguistic and religious differences would thus be rendered obsolete, thwarting attempts to manipulate groups against each other for political purposes.

8. The Baha'i International Community is convinced that, if the immense human rights efforts being made by the United Nations and Governments are to bear fruit, the combined force of political and legal, spiritual and moral influences must be employed. For its part, the Baha'i International Community is attempting to address these challenges within its own membership throughout the world. Baha'i communities are obliged by the teachings of their faith not just to accept, but to nurture, encourage, and safeguard every minority belonging to any faith, race, class, or nation within it. For that reason, the Baha'i Writings suggest that if any discrimination at all is to be tolerated, it should be in favour of the minority. Guided by the unifying principles of world order brought more than a century ago by Baha'u'llah, the Founder of the Baha'i Faith, Baha'i communities worldwide are attempting to integrate people of all racial, national and religious backgrounds into a single community - a community that is both unified and diverse.

9. In support of the Special Rapporteur's recommendation that minorities be actively encouraged to participate in the life of the community (E/CN.4/Sub.2/1993/34/Add.4, para. 12), Baha'is have found radio stations to be highly effective. "Radio Baha'i" in Ecuador, for example, serves the indigenous rural inhabitants of the Otavalo region. Broadcasting primarily in Quechua, the local language, the radio station aims to meet the needs, expressed by the listeners, for spiritual, cultural and material training. Local personnel have been trained on site in all aspects of running a radio station, including operating the equipment and developing the schedule. Programmes cover a range of topics including agricultural development, education, spirituality and public affairs. The local culture is nurtured and preserved by featuring local story-tellers and music recorded at station-sponsored annual indigenous music festivals. Similar stations have been established in rural Bolivia, Chile, Panama, Peru and the United States of America.

10. The Baha'i International Community would like to commend UNESCO, and particularly its International Bureau of Education (IBE), for organizing an interreligious round table on "The contribution of religions in education for international understanding". Such a meeting is certainly in line with Mr. Eide's recommendation that meetings to promote greater understanding amongst all people be developed and encouraged (E/CN.4/Sub.2/1993/34/Add.4, para. 69). The Bahai'i International Community is delighted to be able to participate in this round table discussion during the Conference of Ministers of Education of the IBE member States in October 1994.

11. We welcome the Sub-Commission's practical emphasis on ways and means of facilitating the peaceful and constructive solution of problems involving minorities. If Governments or civic organizations would find it useful, the Baha'i International Community is ready to offer its experience in establishing communities characterized by unity and respect for diversity.

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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
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of Minorities
Forty-sixth session
Item 8 of the provisional agenda

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[17 July 1994]

Children and housing rights

1. The recognition of housing as a basic human right for all, especially children, has gained considerable significance in recent times. The concept of housing not just as a need but as a right includes not just the physical material aspects of a "space" but also the emotional, mental and spiritual dimensions. The security of a place to live is critical to the well-being of children.

2. As the Special Rapporteur on the right to adequate housing, Mr. Rajindar Sachar, stresses in his first working paper (E/CN.4/Sub.2/1992/15, para. 31), "the indivisibility of survival, health, environmental conditions and housing confirms the need to view housing rights within a holistic and interdependent framework, and one which transcends the outdated 'four walls and a roof' view of housing".

3. This is particularly true in the case of children, who are one of the most vulnerable groups in society. Adequate housing is indeed of particular importance for children, whose physical and intellectual development is closely linked to the environment where they grow up and to the living conditions they have to confront. The denial of the right to adequate housing leads to the deprivation of most of the child's basic rights, such as the rights to health, education, to a legal identity and citizenship, and sometimes even the right to life.

4. For instance, the absence of registration after birth, which is very common when children are born in informal settlements or slums, or on pavements, generally provokes the denial of their basic economic, social and cultural rights and facilitates their economic exploitation. Children who have not been registered and are thus deprived of legal identity are also more likely to be subjected to all kinds of violations, notably ill-treatment, arbitrary arrests and even extrajudiciary execution.

5. The rising phenomenon of street children is particularly illustrative of the direct link existing between housing rights and most of the children's fundamental rights. Constantly exposed to violence and abuse, these children, who become street children as a way to ensure their survival, have seen their basic human rights systematically and massively violated.

6. It is also important to note that one of the main reasons why cities across the world are seeing the growing phenomenon of street children is housing and planning policies, especially in the developing countries, that have forced people and communities from inner city areas to places far away from livelihood opportunities. This has forced families to send their children back to the city streets to supplement the family income. Thus, forced evictions bear a direct responsibility for the growing presence of children in the streets.

7. The Sub-Commission in its resolution 1991/12 explicitly stated that "the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing". The impact of forced evictions and uprooting is particularly severe on children. Most of the time they will have negative consequences on the health and education of children. Furthermore forced evictions often violently carried out by the police, provoke serious traumas for children who see their home and familiar environment being destroyed. Sometimes children are even hurt or are the victims of ill-treatment by the evicting forces.

8. Thus the civil and political rights of children are often seriously violated when their right to adequate housing is denied.

9. Although this has been recognized in the United Nations Convention on the Rights of the Child, which stresses the indivisible and interrelated nature of all rights of the child - civil, cultural, economic, political and social - it would need to be further emphasized in the future, in order to demonstrate the crucial importance of children's housing rights. This would also contribute to determining better States' and the international financial institutions' responsibilities in this regard.

10. Up to now, the housing rights of children have received only very little attention from the international community. Even though the right to adequate housing, as a new concept, has received increasing attention within the United Nations system, with the appointment of the Special Rapporteur on the promotion of the realization of the right to adequate housing, children's housing rights have been inadequately considered by the different United Nations human rights bodies, notably the Committee on the Rights of the Child and the Commission on Human Rights and the Sub-Commission.

11. To focus on this issue, and in particular on the significance of the right of children to adequate housing for the full realization of all the rights established by the Convention on the Rights of the Child, would be of crucial importance. Furthermore, legal interpretations, by the relevant treaty bodies, of Governments' and international cooperation's obligations regarding the promotion of children's housing rights is also urgently needed in order to strengthen the protection of children's basic rights.

12. It is thus essential that the Sub-Commission give increased attention to the question of children's housing rights, in order to give this issue the importance it deserves.

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